



October 11, 2007

Mr. Richard B. Rogers, President
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Dear President Rogers:

As you know, the American Sportfishing Association, along with our partners, Coastside Fishing Club, United Anglers of Southern California, Sportfishing Association of California and the Southern California Marine Association is actively and constructively engaged in the implementation of the Marine Life Protection Act Initiative (MLPAI). We have met with and discussed our involvement with the MLPAI with members of the Commission, Governor Schwarzenegger's Administration, and the Blue Ribbon Task Force and have been universally encouraged to keep you informed of any challenges we encounter in the process.

Because of the positive feedback we have received as a result of our support of the conservation goals of the MLPAI, we feel an obligation to now inform you that a significant impediment to a successful outcome has been brought to our attention by members of the Regional Stakeholders Group (RSG) and the Science Advisory Team (SAT).

While we recognize that timelines are important, to echo BRTF Chair Golding, it is more important to get it done right than to get it done fast. The MLPAI RSG is moving at an exceptionally fast pace. Deadlines have been established and we are concerned that the RSG is being pushed to meet these deadlines notwithstanding a lack of information necessary to produce a quality outcome. For example, the RSG has been working on Marine Protected Area (MPA) "proposals" (in the working group model) for more than a month now without answers to fundamental science questions from the SAT.

Answers to questions such as "What are the species likely to benefit from MPAs?" and "What are the unique habitats associated with this study area?" are still without official answers, leaving RSG members to "guess" or theorize about where to place MPAs. Outside of the species listed

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as endangered by State and Federal Authorities or identified by the Pacific Fisheries Management Council, the SAT has not provided the RSG the necessary information to identify and site meaningful MPAs based on sound science. We believe the SAT should identify the species expected to benefit from the MPAs and also provide the RSG with the science demonstrating "why" a particular species needs the protection of an MPA.

As to unique habitats within the study area, thus far the SAT has said that estuaries and the Farallon Islands are unique, but the SAT has not addressed the sub-tidal area of the Farallons. While we may agree that the land area of the Farallons may be unique habitat, the SAT has not explained why the sub-tidal areas (that are similar in physical make up and resident species to coastal rock formations) fall into the "unique" category.

In addition to the above, there are many other important questions that have been posed by the RSG to the SAT that remain unanswered. For additional examples, you may review Handouts A, B and C from the recent SAT meeting on October 1, 2007. They are posted on the MLPA website at http://www.dfg.ca.gov/mlpa/meeting_100107.asp.

The essence of the problem is that there is no real mechanism for the SAT to provide the RSG answers to science questions in a timely manner. To frame it in a question: Why is the RSG creating even draft MPA proposals when they do not know the answers to the most fundamental of science questions?

What may be beneficial to the process is to have a mechanism for dialogue between the RSG and the SAT. As it is now, the RSG will come up with questions for the SAT and then it takes several months to formulate the answers, all while the RSG is steaming ahead.

As it stands now, the RSG is working at least two months ahead of the SAT in this regard. Unfortunately, the development of MPAs without these fundamental science questions being answered justifiably raises concern among all stakeholders that the process may be more political than one based in sound science. Our goal, as it is your own, is a successful implementation of the MLPAI to conserve our vital ocean resources.

We understand that the RSG is to finalize their MPA proposals at their meetings in Gualala on October 16 and October 17, 2007. Clearly, the SAT needs time to "catch-up" with the RSG before the RSG finalizes their MPA proposals. Therefore, we respectfully request a two-month hiatus in the MLPA process to allow the SAT the required catch-up time and for sound science to govern identification and siting of MPAs.

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We, and our partners, remain committed to achieving a balanced outcome in the implementation of the MLPAl; one that creates a network of Marine Protected Areas (MPAs) with high conservation values while enhancing the recreational fishing experience along the North Central Coast.

Thank you for considering our views.

Sincerely,

Gordon C. Robertson

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cc: Members of the California Fish and Game Commission
Dan Dunmoyer, Deputy Chief of Staff and Cabinet Secretary, Office of Governor Arnold Schwarzenegger
Brian Prusnek, Deputy Cabinet Secretary, Office of Governor Arnold Schwarzenegger
Mike Chrisman, Secretary, Resources Agency
John McCamman, Interim Director, California Department of Fish and Game
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